

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Robert F. Rioux et al. Confirmation No.: 1401
Serial No.: 09/935,487 Group Art Unit: 3738
Filed: August 23, 2001 Examiner: Pellegrino, Brian E.
FOR: **MAINTAINING AN OPEN PASSAGEWAY THROUGH A BODY LUMEN**

MAIL STOP AMENDMENT

FILED ELECTRONICALLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL ACTION

In response to the Official Action dated June 19, 2009, the period for responding to which extends to December 19, 2009, Applicants submit the following Amendments and Remarks.

Applicants submit that neither a fee nor an extension of time is required to have this response entered and considered. Applicants, however, conditionally petition for any required extension of time to provide for the possibility that such a petition is required but has been inadvertently overlooked. Also, Applicants conditionally authorize the Office to charge Deposit Account **50-1283** for any required fee(s), whether for an extension of time needed to make this response timely and have it considered, excess claims, or any other reason.

Amendments to the Claims are reflected on the listing of the claims which begins on Page 2 of this paper.

Remarks begin on Page 6 of this paper.